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10/733,812	12/12/2003	Akihito Tanimoto	Q78954	8816
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/733,812

Applicant(s)

TANIMOTO, AKIHITO

Examiner

HILINA S. KASSA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/03/2008 has been entered. Claims 1 and 3-7 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 3-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno (Japanese Publication Number 08-030413) in view of Okada et al. (US Patent Number 6,611,347 B1).

(1) regarding claim 1:

As shown in figure 1, Ueno discloses a printing control method (**paragraph [0009], lines 1-2; note that a printing control system is described**), comprising:

a data management operation comprising storing printing data received from a client device (**paragraph [0011], lines 2-4; note that the terminal client generates print data and perform a printing request to the printing control terminal**), in a storage part in association with management information (**24, figure 1; paragraph [0010], lines 5-6; note that the management file gets stored in storage section 24**), and of transmitting said management information to said client device when a printing request received from the client device is a printing request of the type involving the transmission and reception of printing data (**paragraph [0016], lines 1-5; paragraph [0018], lines 5-8; note that after receiving a request from the external terminal device re-printing gets established**);

referencing said storage part and reading out printing data associated with management information received from said client device (**paragraph [0017], lines 4-5; note that the data of page which corresponds from a permanent file are read**) when said printing request is of the type involving the transmission and reception of management information associated with the printing data in the data management operation (**paragraph [0018], lines 5-8; note that the data which correspond from a data file gets read**); and,

executing printing, using said received printing data or on said read-out printing data (**paragraph [0018], lines 7-8; note that based on the read data re-printing is proceeded**).

Ueno discloses all of the subject matter as described as above except for specifically teaching wherein said data management operation selects and deletes printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size.

However, Okada et al. disclose wherein said data management operation selects and deletes printing data, from said storage part (**column 14, lines 32-36; note that the CPU controls the deletion of print data registered in RAM in accordance with a priority order determined by the usage history**), using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use (**column 14, lines 36-41; note that the deletion of print data occurs with low usage frequency in the work memory without to delete the print data having the high usage frequency**) and a setting rule stipulating a lower deletion priority for a larger size (**column 15, lines 6-15; note that when the work area is insufficient due to data size, the bit map image or the data does not get deleted but stored in compressed form i.e. considered as the low deletion priority**).

Ueno and Okada et al. are combinable because they are from the same field of endeavor i.e. network printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein said data management operation

selects and deletes printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size. The suggestion/motivation for doing so would have been to efficiently and reliably utilize print process time without having load on memory (abstract, lines 6-10). Therefore, it would have been obvious to combine Ueno with Okada et al. to obtain the invention as specified in claim 1.

(2) regarding claim 3:

Ueno further discloses the printing control method according to claim 1, wherein said data management operation references a rule storage part which stores at least one setting rule for said deletion priority information (**figure 3, paragraph [0014], lines 1-5**), and sets said deletion priority information (**paragraph [0014], lines 4-5; note that the print data gets prioritized according to the content page, paragraph [0025], lines 4-6**).

(3) regarding claim 4:

Ueno further discloses the printing control method according to claim 3, further comprising registering setting rules in said rule storage part using input from a user (**paragraph [0014]-paragraph [0015], line 3**).

(4) regarding claim 5:

Ueno further discloses the printing control method according to claim 3 or claim 4, wherein said setting rules are composed additionally using at least one from among the time of storage, and time of use (**paragraph [0014], lines 1-5; note that the print data is stored based on the data size**).

(5) regarding claim 6:

Ueno further discloses a printing system (**paragraph [0009], lines 1-2; note that a printing control system is described**), comprising:

a data management part which stores printing data received from a client device (**paragraph [0011], lines 2-4; note that the terminal client generates print data and perform a printing request to the printing control terminal**) in a storage part in association with management information (**24, figure 1; paragraph [0010], lines 5-6; note that the management file gets stored in storage section 24**), and which transmits management information to said client device when a printing request received from the client device is a printing request of the type involving the transmission and reception of printing data (**paragraph [0016], lines 1-5; paragraph [0018], lines 5-8; note that after receiving a request from the external terminal device re-printing gets established**);

a referencing part which references said storage part and which reads out printing data associated with management information received from said client device (**paragraph [0017], lines 4-5; note that the data of page which corresponds from a permanent file are read**) when said printing request is of the type involving the

transmission and reception of management information associated with the printing data by the data management means (**paragraph [0018], lines 5-8; note that the data which correspond from a data file gets read**); and,

an execution part which executes printing, using said received printing data or said read-out printing data (**paragraph [0018], lines 7-8; note that based on the read data re-printing is proceeded**),

Ueno discloses all of the subject matter as described as above except for specifically teaching wherein said data management part deletes printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size.

However, Okada et al. disclose wherein said data management part deletes printing data, from said storage part (**column 14, lines 32-36; note that the CPU controls the deletion of print data registered in RAM in accordance with a priority order determined by the usage history**), using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use (**column 14, lines 36-41; note that the deletion of print data occurs with low usage frequency in the work memory without to delete the print data having the high usage frequency**) and a setting rule stipulating a lower deletion priority for a larger size (**column 15, lines 6-15; note that when the work area is insufficient due to data size, the bit map image or the data does not get deleted but stored in compressed form i.e. considered as the low deletion priority**).

Ueno and Okada et al. are combinable because they are from the same field of endeavor i.e. network printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein said data management part deletes printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size. The suggestion/motivation for doing so would have been to efficiently and reliably utilize print process time without having load on memory (abstract, lines 6-10). Therefore, it would have been obvious to combine Ueno with Okada et al. to obtain the invention as specified in claim 6.

(6) regarding claim 7:

Ueno further discloses a printing system (**paragraph [0009], lines 1-2; note that a printing control system is described**), comprising at least one client device (**10, figure 1**) and a printing device (**20, figure 1; paragraph [0009], lines 6-7**) configured to enable communication with said client device (**paragraph [0009], lines 1-4**), wherein said client device can output two types of printing requests (**paragraph [0011], lines 2-10; note that the terminal device outputs print data and re-print request data 11, figure 1**), consisting of a first type involving the transmission and reception of printing data (**paragraph [0011], lines 2-4; note that the terminal device generates and transmits print data**) and a second type involving the transmission and reception of management information associated with printing data by the printing device

(paragraph [0011], lines 8-10; note that the re-printing utility 11 outputs the re-print data request),

wherein said printing device **(20, figure 1)**, upon receiving the first type of printing request from a client device **(paragraph [0011], lines 2-4; note that the terminal client generates print data and perform a printing request to the printing control terminal)**, stores printing data received from said client device in association with management information in a storage part **(24, figure 1; paragraph [0010], lines 5-6; note that the management file gets stored in storage section 24)**, transmits said management information to said client device **(paragraph [0012], lines 1-3)**, and executes printing using said printing data **(paragraph [0012], lines 3-4)**; and

wherein said printing device, upon receiving the second type of printing request from a client device **(paragraph [0011], lines 8-10; note that the re-printing utility 11 outputs the re-print data request)**, references said storage part, reads out printing data associated with management information received from said client device **(paragraph [0016], 1-5)**, and executes printing using said read-out printing data **(paragraph [0018], lines 7-8; note that based on the read data re-printing is proceeded)**.

Ueno discloses all of the subject matter as described as above except for specifically teaching wherein said printing system is configured to delete printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size.

However, Okada et al. disclose wherein said printing system is configured to delete printing data, from said storage part (**column 14, lines 32-36; note that the CPU controls the deletion of print data registered in RAM in accordance with a priority order determined by the usage history**), using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use (**column 14, lines 36-41; note that the deletion of print data occurs with low usage frequency in the work memory without to delete the print data having the high usage frequency**) and a setting rule stipulating a lower deletion priority for a larger size (**column 15, lines 6-15; note that when the work area is insufficient due to data size, the bit map image or the data does not get deleted but stored in compressed form i.e. considered as the low deletion priority**).

Ueno and Okada et al. are combinable because they are from the same field of endeavor i.e. network printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein said printing system is configured to delete printing data, from said storage part, using deletion priority information which is set by a setting rule stipulating a lower deletion priority for a higher frequency of use and a setting rule stipulating a lower deletion priority for a larger size. The suggestion/motivation for doing so would have been to efficiently and reliably utilize print process time without having load on memory (abstract, lines 6-10). Therefore, it would have been obvious to combine Ueno with Okada et al. to obtain the invention as specified in claim 7.

Conclusion

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pari-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/
Examiner, Art Unit 2625
October 14, 2008

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625